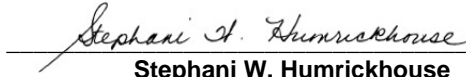




**SO ORDERED.**

**SIGNED this 2 day of October, 2013.**

  
Stephani W. Humrickhouse  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION**

**IN RE:**

**CASE NO.**

**JOHN ARRINGTON, JR.**

**13-05549-8-SWH**

**DEBTOR**

**ORDER ALLOWING MOTION TO EXTEND STAY**

Pending before the court is the debtor's motion, pursuant to 11 U.S.C. § 362(c)(3)(B), for a continuation of the automatic stay as to all creditors. The debtor represented that all interested parties were served with the motion and the notice of motion and filed an affidavit with sufficient facts to support the motion pursuant to E.D.N.C. LBR 4001-1(d). Based upon the affidavit and in the absence of a response, the court will allow the motion without a hearing.

John Arrington, Jr. filed a petition for relief under chapter 13 of the Bankruptcy Code on September 3, 2013. A prior case of the debtor was pending within the preceding one-year period but was dismissed on August 22, 2013. The debtor's current filing is subject to the presumption that it was not filed in good faith as provided in 11 U.S.C. § 362(c)(3)(C), but the debtor has demonstrated that the filing of the later case is in good faith as to the creditors to be stayed, and has provided clear and convincing evidence sufficient to rebut the presumption that the case was not filed in good faith. No response to the debtor's motion has been filed, and the motion therefore is uncontroverted.

Accordingly, and pursuant to 11 U.S.C. § 362(c)(3)(B), the stay contained in 11 U.S.C. § 362(a) shall continue in effect throughout the pendency of the debtor's chapter 13 case as to all creditors unless otherwise ordered or terminated by operation of a separate statutory provision (e.g., § 362(h)).

**SO ORDERED.**

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